

FEDERAL DRIVERS PROTECTION ACT (DPPA)

Effective June 1, 2000, the Federal Drivers Protection Act (DPPA) (18 U.S.C.A. 2721) as amended by Section 350 of Public Law 106-69 *Appropriations Act* prohibits the dissemination or disclosure of a photograph, social security numbers, medical or disability information from motor vehicle records without the express consent of the person to whom the information pertains. However, this information may be released even without the express consent of the person for the following reasons:

1. For use by any government agency, including any court or law enforcement agency, in Carrying out its functions, or any private person or entity acting on behalf of a Federal, State, or local agency in carrying out its functions.
2. For use in connection with any civil, criminal, administrative, or arbitral proceeding in Any Federal, State, or local court or agency or before any self-regulatory body, including the service of process, investigation in anticipation of litigation, and the execution or enforcement of judgments and orders, or pursuant to an order of a Federal, State, or local court.
3. For use by any insurer or insurance support organization, or by a self-insured entity, or its agents, employees, or contractors, in connection with claims investigation activities, antifraud activities, rating or underwriting.
4. For use by an employer or its agent or insurer to obtain or verify information relating to a holder of a commercial driver's license that is required under chapter 313 of title 49.

Other personal information consisting of a driver's identification number, name, address, or telephone number shall not be released without the express consent of the person to whom it pertains unless the person requesting the information needs it for one of the following permitted uses.

1. For use by any government agency, including any court or law enforcement, in carrying out its functions, or any private person or entity acting on behalf of a Federal, State of local agency in carrying out its functions.
2. For use in connection with matters of motor vehicle or driver safety and theft; motor vehicle emissions; motor vehicle product alterations, recalls, or advisories; performance monitoring of motor vehicles, motor vehicle parts and dealers; motor vehicle market research activities, including survey research; and removal of non-owner records from the original owner records of motor vehicle manufacturers.
3. For use in the normal course of business by a legitimate business or its agents, employees, or contractors, but only –
 - (A) to verify the accuracy of personal information submitted by the individual to the business or its agents, employees, or contractors; and
 - (B) if such information as so submitted is not correct or is no longer correct, to obtain the correct information, but only for the purposes of preventing fraud by, pursuing legal remedies against, or recovering on a debt or security interest against, the individual.
4. For use in connection with any civil, criminal, administrative, or arbitral proceeding in any Federal, State or local court or agency or before any self-regulatory body, including the service of process, investigation in anticipation of litigation, and the execution or enforcement of judgments and orders, or pursuant to an order of a Federal, State, or local court.

5. For use in research activities and for use in producing statistical reports, so long as the personal information is not published, redisclosed, or used to contact individuals.
6. For use by any insurer or insurance support organization, or by a self-insured entity, or its agents, employees, or contractors, in connection with claims investigation activities, antifraud activities, rating or underwriting.
7. For use in providing notice to the owners of towed or impounded vehicles.
8. For use by any licensed private investigative agency or licensed security service for any purpose permitted under this subsection.
9. For use by an employer or its agent or insurer to obtain or verify information relating to a holder of a commercial driver's license that is required under chapter 313 of title 49.
10. For use in connection with the operation of private toll transportation facilities.
11. For any other use in response to requests for individual motor vehicle records if the motor vehicle department has provided in a clear and conspicuous manner on forms for issuance or renewal of operator's permits, titles, registrations, or identification cards, notice that personal information collected by the department may be disclosed to any business or person, and has provided in a clear and conspicuous manner on such forms an opportunity to prohibit such disclosures.
12. For bulk distribution for surveys, marketing or solicitations/if the motor vehicle department has implemented methods and procedures to ensure that –
 - (A) individuals are provided an opportunity, in a clear and conspicuous manner, to prohibit such uses; and
 - (B) the information will be used, rented, or sold solely for bulk distribution for surveys, marketing, and solicitations, and that surveys, marketing, and solicitations will not be directed at those individuals who have requested in a timely fashion that they not be directed at them.
13. For use by a requester, if the requester demonstrates it has obtained the written consent of the individual to whom the information pertains.
14. For any other use specifically authorized under the law of the State that holds the record, if such use is related to the operation of a motor vehicle or public safety.

**TENNESSEE DEPARTMENT OF SAFETY
DRIVER DATA INFORMATION REQUEST**

This request must be completed before information can be obtained from the Tennessee Department of Safety's Driver Data file. Knowledge of what access and uses are permitted under the listed Federal Acts is the responsibility of the requester.

SECTION A

Name (Individual, Firm, or Corporation) _____

Name (Person requesting Information) _____

Street Address _____

City, State, Zip _____ **Telephone No.** _____

Mailing Address (If different from above) _____

SECTION B

Describe what information is requested (be specific). Attach additional sheets if necessary

OUTPUT MEDIA REQUESTED:

☐ Cartridge ☐ Diskette ☐ CD ☐ Paper

SECTION C – Authorization (Please check the statement(s) below that allows you to obtain personal information. Sign certification).

I (we) are authorized under the Federal Driver's Privacy Protection Act to obtain the identified records and personal information based on the following:

- ☐ 1. Authorized for use, if the requester demonstrates that they have obtained the written consent from the person about whom the information pertains. (Written consent must be presented at the time of this request.)
- ☐ 2. For use in connection with matters of motor vehicle or driver safety and theft; motor vehicle emissions; motor vehicle product alterations, recalls, or advisories; performance monitoring of motor vehicles, motor vehicle parts and dealers; motor vehicle market research activities, including survey research; and removal of non-owner records from the original owner records of motor vehicle manufacturers to carry out the purposes of the automobile Information Disclosure Act. The National Traffic and Motor Vehicle Safety Act, the Anti-Car Theft Act and the Clean Air Act.
- ☐ 3. A government agency (federal, state, or local) or employed by such for the purpose of the government agency to carry out its functions.
- ☐ 4. A federal, state, circuit, local, or tribal court, or employed by such, for the purpose of the court to carry out its functions.

- ☐ 5. A Tennessee or out-of-state law enforcement agency, or employed by such, for the purpose of the law enforcement agency to carry out its functions.
- ☐ 6. Authorized representative agent, contractor, or employed by such, of a legitimate business and the vehicle/driving record being requested will be used for normal course of business, but only to:
 - a. Verify accuracy of the personal information submitted by the agency.
 - b. Obtain correct information, but only for purpose of preventing fraud, pursuing legal remedies, or collecting a debt.
- ☐ 7. Authorized for use in connection with any civil, criminal, administrative, or arbitral proceeding in any federal, state, circuit, local, or tribal court or agency, or before any self-regulatory body, including the service of process, investigation in anticipation of litigation and the execution or enforcement of judgments and orders, or pursuant to an order of a federal, state, circuit, local or tribal court.
- ☐ 8. Authorized for use in research activities and producing statistical reports, as long as the personal information is not published, redisclosed, or used to contact individuals.
- ☐ 9. Authorized representative, agent, contractor, or employed by such, of an insurer, insurance support organization or self-insured entity and the vehicle/driving record(s) being requested will be used only in connected with the following:
 - a. Claims investigation
 - b. Anti-fraud activities
 - c. Rating or Underwriting
- ☐ 10. Authorized for use in providing notice to the owners of towed or impounded vehicles.
- ☐ 11. Authorized representative or owner of a licensed private investigative agency or licensed security service and the vehicle/driving record is being requested for the use of purposes permitted under the Federal Driver's Privacy Protection Act.
- ☐ 12. Authorized as an employer, or its agent or insurer for use in obtaining or verifying information relating to a holder of a commercial drivers license (CDL).
- ☐ 13. Authorized representative or owner of a private toll transportation facility for use in the operation of the facility.

I, (we), certify that the information and statements on this request are true and correct, comply with the provisions of the Federal Driver's Privacy Protection Act and understand that the willful, unauthorized disclosure of information obtained from these records for a purpose other than stated on this request, or the sale or other distribution of the information to a person or organization not disclosed in this request may result in penalties imposed under Title 18, U.S.C. Section 2724.

Signature

Date Signed

Driver License Number

State

Mail To: State of Tennessee, Department of Safety
Information Systems Division
1150 Foster Avenue, Menzler Nix Building
Nashville, TN 37249-1000

POLICIES AND PROCEDURES FOR OBTAINING COMPUTER STORED RECORDS

All requests for the purchase of computerized records from the Tennessee Department of Safety must be supported by written application stating the purpose for which the information requested will be used. The head of the requesting governmental agency or private company will certify that the information will not be used for any purpose other than that stated in the request. Violation of this policy is a misdemeanor under Tennessee Code Annotated 39-14-602.

1. All governmental agencies will be charged only for the actual production costs. Governmental Agencies are prohibited from releasing computer information to any private individual, firm, or corporation.
2. State agencies will be journal vouched when the requested data is delivered.
3. Federal and local government agencies will send, in advance, the minimum amount to initiate a request. If the actual costs are less than the minimum, the balance will be refunded. If the actual costs exceed the minimum, the agency will be notified to remit the additional money prior to delivery of the requested data.
4. Federal, State and local law enforcement agencies will not be charged for requests for data.
5. County Clerk Officials acting as agents of the Department of Safety will not be charged for requests for data.

COSTS ARE COMPRISED OF THE FOLLOWING:

Computer Run Time (Computer Resource Units)
Output Media (Cartridges, CD, Microfiche, Paper Reports, etc.)
Employee Time (Analysts and Programming)
Mailing Costs (UPS, Federal Express, etc.)

CURRENT RATES ARE AS FOLLOWS AND ARE SUBJECT TO CHANGE ANNUALLY:

Computer Processing	--	\$427.20 per CPU Hour
Microfiche	--	\$.95 each
Paper Reports	--	\$.60 per 1000 print lines
*Cartridges	--	\$ 5.00 each
CD	--	\$ 5.00 each
Diskette	--	\$ 2.00 each

*Cartridges can be created on the following platform and formats:

MAINFRAME: 3480 eighteen (18) track

GENERAL

This policy does not apply to the selling of individual driver History Records (MVRs) which are \$5.00 per record or vehicle history records which are \$2.00 per record.

Work performed for non-governmental use will have the lowest priority of any requests for computer processing. No work will be performed for non-governmental sources if it will interfere with the timely production of departmental work or commitments to other governmental agencies.

Make check payable to: State of Tennessee Department of Safety

For Express mail such as UPS, Federal Express, Air Borne, etc., please mail to:

**Tennessee Department of Safety
Information Systems
1150 Foster Avenue, Menzler Nix Building
Nashville, Tennessee 37210**

For regular postal mail, please mail to:

**Tennessee Department of Safety
Information Systems
1150 Foster Avenue, Menzler Nix Building
Nashville, Tennessee 37249-1000**

SF-1289